

REMARKS

The remarks presented herein attend to all issues in the pending office action of May 04, 2007. Claims 2-14, 16 and 17 are pending, with claims 2, 11, 14 and 16 being independent. Claims 1, 15 and 18 are cancelled without prejudice, and may be pursued in one or more divisional applications.

Claims 11-14 and 16 are amended without new matter, pursuant support from the '343 Application as filed. Support for the amendments to independent claims 11, 14 and 16 is found throughout the '343 Application. For example,

"A system generates FIR laser radiation. An electron source generates an electron beam. A grating horn interacts with the electron beam to produce the FIR laser radiation. The grating horn may comprise a flat base and a pair of grating elements attached to the base, each of the grating elements being ruled with a grating period, the grating elements oriented in phase and in substantial symmetry about a normal to the flat base." Abstract.

Further support for these claim amendments includes, but is not limited to, paragraphs [0009], [0011] and [0047], FIGs. 6A-G and 7 and the claims as filed (for example, view the above-noted paragraphs and Figures with originally-filed claims 14 and 15, for support for the amendments to claim 14).

Dependent claims 12 and 13 are amended to reflect the amendments to their base claim (claim 11), preserving antecedent basis.

Election/Restrictions

The Examiner has required restriction to one of the following claim groups:

- Group I: Claim 1, drawn to a grating element;
- Group II: Claims 2-10, drawn to a grating horn; and
- Group III: Claims 11-18, drawn to a system for generating FIR laser radiation.

In response to the Examiner's restriction requirement, applicant elects Group II (claims 2-10), with traverse. Traverse is made at least because, given the amendments made herein, claim 2 is generic to the remaining claims of group III

(claims 11-14, 16 and 17). Each of the remaining Group III claims recites all of the limitations of claim 2, and claim 2 does not require any material element additional to those recited in the remaining Group III claims. Claim 2 thus meets the definition of a generic claim provided at MPEP § 806.04(d).

We respectfully submit that since claim 2 is generic to claims 11-14, 16 and 17, all pending claims should be examined together.

CONCLUSION

In view of the above Amendments and Remarks, applicant has addressed all issues raised in the Office Action dated May 04, 2007. If any issue remains outstanding or if questions arise regarding this Election and Response, the Examiner is encouraged to contact the undersigned.

No fees are believed due; however, should any fees be deemed necessary in connection with this Election and Response, the Commissioner is hereby authorized to charge deposit account 12-0600.

Respectfully submitted,

Date: 04 June 2007

By: Heather Perrin

Heather F. Perrin, Reg. No. 52,884
LATHROP & GAGE L.C.
4845 Pearl East Circle, Suite 300
Boulder, CO 80301
Telephone: (720) 931-3033
Facsimile: (720) 931-3001